

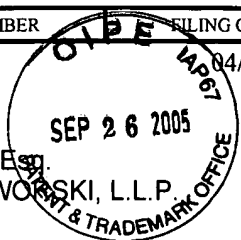


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/827,104 | 04/19/2004 | Justin L. Fort | FOCH:002US / 10404324 |

Michael C. Barrett, Esq.
 FULBRIGHT & JAWORSKI, L.L.P.
 Suite 2400
 600 Congress Avenue
 Austin, TX 78701



CONFIRMATION NO. 1477

FORMALITIES LETTER



OC000000014170843

Date Mailed: 05/23/2005

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 09/28/2004 to the Notice to File Missing Parts (Notice) mailed 06/28/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$996 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$996 for a Large Entity

- Total additional claim fee(s) for this application is \$996
 - \$528 for 8 independent claims over 3.
 - \$468 for 26 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450

Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Office of Initial Patent Examination (703) 308-1202

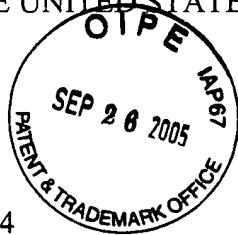
PART 2 - COPY TO BE RETURNED WITH RESPONSE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Justin L. Fort
Charles P. Fort



Serial No.: 10/827,104

Filed: April 19, 2004

For: TECHNIQUES FOR SURFACE
EXPLORATION AND MONITORING

Group Art Unit: 2858

Examiner: Unknown

Atty. Dkt. No.: FOCH:002US

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

September 23, 2005

Date

Michael C. Barrett

RESPONSE TO NOTICE OF INCOMPLETE REPLY

MS MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the Notice of Incomplete Reply dated May 23, 2005, enclosed are:

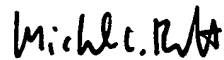
- (a) Preliminary Amendment;
- (b) Small Entity Declaration;
- (c) Our check in the amount of \$225.00 to cover the two month extension of time fee (\$225.00);
- (d) A copy of Notice of Incomplete Reply; and

- (e) A Request for Extension of Time of two months to and including September 23, 2005. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included, the Commissioner is authorized to deduct or credit the appropriate fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/FOCH:002US .

Please date stamp and return the accompanying postcard to evidence receipt of these documents.


Respectfully submitted,



Michael C. Barrett
Reg. No. 44,523
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: September 23, 2005

| | | |
|--|-------------------------|----------------|
| TRANSMITTAL FORM  | Application Number: | 10/827,104 |
| | Filing Date: | April 19, 2004 |
| | First Named Inventor: | Justin L. Fort |
| | Art Unit: | 2858 |
| | Examiner Name: | Unknown |
| Total Number of Pages in this Submission | Attorney Docket Number: | FOCH:002US |

ENCLOSURES (check all that apply)

| | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> References _____ <input type="checkbox"/> Certified Copy of Priority Documents <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Reply to Missing Parts/Requirements <input type="checkbox"/> Declaration(s) _____ <input checked="" type="checkbox"/> Copy of Notice of Missing Parts/Requirements | <input type="checkbox"/> Drawings(s) _____ <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Statement under 37 CFR §3.73(b) <input type="checkbox"/> Designation of Patent Practitioners <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Check in the amount of \$225.00 <input checked="" type="checkbox"/> Authorized to be charged to deposit account if check insufficient or inadvertently omitted Deposit account number: <u>50-1212/FOCH:002US</u> <input type="checkbox"/> Sequence Statement <input type="checkbox"/> Paper Copy of Sequence Listing <input type="checkbox"/> Computer Readable Form (CRF) <input checked="" type="checkbox"/> Postcard <input checked="" type="checkbox"/> <u>Small Entity Declaration</u> <input type="checkbox"/> _____ |
|--|---|--|

Remarks:

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|------------------------------|-----------------|--------|
| Firm Name | Fulbright & Jaworski, L.L.P. | Customer Number | 32425 |
| Signature | <i>Michael C. Barrett</i> | | |
| Printed Name | Michael C. Barrett | Reg. No. | 44,523 |
| Date | September 23, 2005 | | |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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|-----------------------|---------------------------|------|--------------------|
| Signature | <i>Michael C. Barrett</i> | | |
| Typed or Printed Name | Michael C. Barrett | Date | September 23, 2005 |